

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 04-30070-MAP

PETER K. FREI,)
Plaintiff)
)
vs.)
)
TOWN OF HOLLAND, BOARD OF HEALTH,)
HOLLAND CONSERVATION COMMISSION,)
HOLLAND POLICE DEPARTMENT,)
PLANNING BOARD, ZONING BOARD OF)
APPEALS, Ronald Benoit, Debra Benveniste,)
Sally Blais, Richard Blease, Harold E. Congdon,)
Robert Dymon, Robert Ford, Kevin Gleason,)
Benjamin Haller, William Hardy, Earl Johnson,)
Helen Kreiger, Marilyn LaPlante, Joanne May,)
Vincent J. McCaughey, Dora Metrelis,)
Arthur A. Quinn, Brian Roche, John Stevens,)
Defendants)

MOTION FOR JUDGMENT ON THE PLEADINGS

NOW COME the defendants and respectfully move for judgment on the pleadings pursuant to Fed. R. Civ. P. 12(c). As grounds for this Motion, the defendants state that the plaintiff has failed to state a viable cause of action, has exceeded the statute of limitations with respect to many of his claims, has failed to state a claim upon which relief may be granted and that the defendants are entitled to either qualified or absolute immunity. As further grounds and in further support, the defendants incorporate by reference their memorandum in support of the instant motion.

THE DEFENDANTS
TOWN OF HOLLAND, ET AL.

By /s/Nancy Frankel Pelletier
Nancy Frankel Pelletier, Esq., and

By /s/Dorothy Varon
Dorothy Varon, Esq., both of
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NFP BBO No.: 544402
DV BBO No.: 629609

CERTIFICATE OF SERVICE

I, Nancy Frankel Pelletier, Esq., hereby certify that on this 14th day of January, 2005, I served a copy of the above upon the parties in the action by mailing, postage prepaid, to Peter K. Frei, *Pro Se*, P.O. Box 500, Brimfield, MA 01010-0500.

Subscribed under the penalties of perjury.

/s/Nancy Frankel Pelletier
Nancy Frankel Pelletier, Esq.